

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
:  
TODD KREISLER,  
:Plaintiff,  
:-v-  
:44 LEXINGTON ASSOCIATES, LLC and 517 LEX  
LLC,  
:Defendants.  
:  
-----X

24-CV-08721 (JAV)

ORDER


JEANNETTE A. VARGAS, United States District Judge:

On July 28, 2025, Plaintiff submitted a Motion to Compel Discovery Responses from Defendant 44 Lexington Associates, LLC (“Defendant”). *See* ECF No. 29. In the letter, Plaintiff avers that Defendant represented it would serve its overdue response by July 18, 2025, but subsequently failed to do so. *Id.* Plaintiff also notes that Defendant responded it was “happy to confer” on July 25, 2025, but Defendant did not respond to the suggested times and dates for the meet and confer that Plaintiff suggested. *Id.*

On July 29, 2025, Defendant’s counsel filed a response letter informing the Court that the extension to respond to Plaintiff’s discovery requests fell during a “long planned vacation,” which led to counsel being unable to fulfill the discovery responses. ECF No. 30. Defendant’s counsel also informed the Court that, after the vacation, he fell ill with COVID, which “hindered [his] ability to complete the discovery” and that he was unable to make the time for the meet and confer on July 25, 2025. *Id.* In the letter, Defendant’s counsel states that he is “endeavoring to complete the requested discovery as we speak,” and notes that, although he will out of the country beginning July 31, he is “hopeful to have the relevant discovery to [Plaintiff’s counsel] by this Friday, August 1.” *Id.* No update has been provided regarding this issue.

Accordingly, the Court directs Plaintiff to provide a status letter to the Court by **August 7, 2025**, advising whether 44 Lexington has provided the requested discovery responses and whether there remains a live dispute. The Court notes that failure to comply with discovery obligations may subject Defendant to a finding of contempt and sanctions for that contempt.

SO ORDERED.

Dated: August 5, 2025  
New York, New York
  
 JEANNETTE A. VARGAS  
 United States District Judge